

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Blue Spike, LLC,

Plaintiff,

v.

Texas Instruments, Inc., et al.,

Defendants.

CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

Blue Spike, LLC,

Plaintiff,

v.

TuneSat, LLC,

Defendant.

CASE NO. 6:12-CV-533 MHS

CONSOLIDATED CASE

Jury Trial Demanded

AGREED MOTION TO DISMISS TUNESAT, LLC

Plaintiff Blue Spike, LLC, on the one hand, and Defendant TuneSat, LLC, on the other, have reached a settlement of the above-captioned matter and have agreed to dismiss the claims, counterclaims, and causes of action between them.

Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Blue Spike, LLC stipulates to the dismissal with prejudice of all claims and causes of action asserted in this case against defendant TuneSat, LLC, and defendant TuneSat, LLC stipulates to the dismissal without prejudice of all counterclaims and defenses asserted in this case against Blue Spike, LLC. The parties shall bear their own attorneys' fees, expenses and costs.

By: /s/ Randall T. Garteiser

Randall T. Garteiser
Lead Attorney
Texas Bar No. 24038912
rgarteiser@ghiplaw.com

Christopher A. Honea
Texas Bar No. 24059967
chonea@ghiplaw.com

Christopher S. Johns
Texas Bar No. 24044849
cjohns@ghiplaw.com
GARTEISER HONEA, P.C.
218 North College Avenue
Tyler, Texas 75702
(903) 705-0828
(903) 526-5477 fax

Kirk J. Anderson
California Bar No. 289043
Peter S. Brasher
California Bar No. 283992
GARTEISER HONEA, P.C.
44 North San Pedro Road
San Rafael, California 94903
(415) 785-3762
(415) 785-3805 fax

ATTORNEYS FOR BLUE SPIKE, LLC

By: /s/ Brian D. Roche

Wesley Hill
WARD & SMITH LAW FIRM
1127 Judson Rd., Suite 220
Longview, TX 75601
Telephone: (903) 757-6400
Facsimile: (903) 212-3937
Email: wh@wsfirm.com

Brian D. Roche
REED SMITH LP
10 S. Wacker Dr.
40th Floor
Chicago, IL 60606
Telephone: 312-207-1000
Facsimile: 312-207-6400
Email: broche@reedsmith.com

COUNSEL FOR TUNESAT, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email.

/s/ Randall T. Garteiser

CERTIFICATE OF CONFERENCE

I certify that on behalf of Blue Spike, LLC, I have met and conferred with counsel for Defendant on February 18, 2014 regarding the relief requested herein. Counsel for Defendant has agreed to this motion.

/s/ Christopher A. Honea